

OCT 20 2006

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
DANVILLE DIVISION

JOHN F. CORCORAN, CLERK  
BY: *H. McDonald*  
DEPUTY CLERK

IVON DARNELL, ET. AL.,

Plaintiffs,

v.

K-MART CORPORATION, ET. AL.,

Defendants.

)  
)  
) Case No. 4:05CV00052  
)  
)

**ORDER**

) By: Jackson L. Kiser  
) Senior U. S. District Judge  
)

This case is before the Court on the parties' Stipulation of Dismissal filed pursuant to Fed. R. Civ. P. 41(a)(1). Pursuant to the terms of the stipulation, it is **ORDERED** that this action is dismissed and the clerk is directed to close the case.

ENTER: October 20, 2006

*Jackson L. Kiser*  
Senior United States District Judge